

# **Sex Offender Registry**

## **Backgrounder**

### **I. Sex Offenders Registration Act Overview**

The Michigan Sex Offender Registry (SOR) is a database containing the names, addresses and listed offense information of all persons in Michigan convicted of certain sexual offenses. The complete SOR is only available for law enforcement purposes through the Law Enforcement Information Network (LEIN).

The SOR was established in 1994 by the Michigan Sex Offenders Registration Act (Public Acts 286, 287, 294 and 355 of 1994). The Act created the database in response to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (42 USC 14071 et seq.) of 1994. This federal act required states to establish specific requirements for persons convicted of certain crimes against minors and convicted of sexually violent offenses.

The Michigan SOR Act also established the Michigan State Police (MSP) as the repository of SOR data and the keeper of the registry. As such, the department works closely with the legislature to ensure any changes made to the Sex Offender Registration Act comply with federal requirements.

In addition, MSP posts, like other local law enforcement agencies, serve as locations where sex offenders can verify and/or change their addresses. MSP posts also participate in sex offender sweeps and arrest absconders.

For a complete summary of SOR legislation, please [click here](#).

### **A. Registry Requirements**

The SOR Act requires all sex offenders in Michigan to register their address with law enforcement after conviction, prior to sentencing. Offenders remain on the registry for 25 years or life, depending on the conviction. Offenders released from prison must remain on the registry for a minimum of 10 years or the duration of their sentence, which ever is longer.

After registering, offenders convicted of a felony-listed offense must report to a local law enforcement agency (city/township police department, county sheriff or MSP post) to verify their address during the first 15 days of January, April, July and October. Offenders convicted of a misdemeanor-listed offense must report to a local law enforcement agency to verify their address during the first 15 days of January (Jan. 1 – Jan. 15) each year. The penalty for failing to verify an address is a 93-day misdemeanor and the penalty for failing to change an address is a felony.

## **B. Sex Offenders Registration Act Violations**

Individuals not in compliance with the SOR Act are offenders who fail to register, fail to sign the registration form and/or fail to comply with reporting duties, including failing to verify and/or change their address. These individuals are also known as absconders.

The SOR Act allows an arrest warrant to be authorized by a prosecutor for an absconder. After a warrant is entered into LEIN, the absconder can be apprehended during a traffic stop or any other contact with law enforcement. In addition, law enforcement agencies conduct periodic sex offender sweeps, during which offenders' addresses are verified and absconders are actively sought.

Law enforcement agencies also rely on the public to help identify absconders. Citizens are encouraged to contact their local law enforcement agency if they think someone is in violation of the SOR Act.

## **II. Public Sex Offender Registry**

Similar to the SOR, the Public Sex Offender Registry (PSOR) is a database containing the names, addresses and listed offense information of persons in Michigan convicted of certain sexual offenses after October 1, 1995, or under the supervision of the Michigan Department of Corrections for a listed offense on October 1, 1995. When first established in 1996, the PSOR was accessible to the public by visiting a local law enforcement agency to view a paper copy of the list. In 1999, as a result of Public Act 85, the PSOR became available online at <http://www.mipsor.state.mi.us/>, allowing for searches by zip code or name and approximate age to identify registered sex offenders.

Under the SOR Act, certain offenders are exempt from the PSOR (even though they remain on the SOR). These offenders include all juveniles and offenders who have successfully completed the probation process outlined in Public Act 240 of 2004. Any juvenile convicted of criminal sexual conduct first or second degree is listed on the PSOR following his/her 18<sup>th</sup> birthday.

In addition, those individuals who are deceased and offenders who have moved out of the state or out of the country are removed from the PSOR following the submission of a death certificate or notification of a change of address.

## **A. Offender Photographs**

Public Act 238 of 2004 requires the PSOR to include the photograph of each individual registered under the SOR Act. To fulfill this requirement, PA 238 allows the MSP to obtain photographs from the Secretary of State.

The photographs were posted beginning May 1, 2005. By May 31, 2005 approximately 65 percent of the photographs were available on the PSOR. The remaining offenders either do not have a Michigan driver's license or state identification card, or the Secretary of State records did not match the information in the PSOR. Records without photographs are being addressed by the SOR Unit staff.

## **III. Sex Offender Registry Statistics\***

As of November 3, 2005, there were 37,916 offenders in the SOR. Of those, 2,433 were juveniles and 12,333 were incarcerated. On average, 200 new offenders are added to the SOR per month. The Michigan SOR has a compliance rate of approximately 65 percent. Those offenders not in compliance either failed to change their address or failed to verify their address. (Note: Statistical comparisons among states are often inaccurate because each state has different requirements for who is registered and how statistics are reported.)

Of the 37,916 offenders in the SOR, 23,885 are required to verify their address either yearly or quarterly depending on their offense. Incarcerated offenders and offenders who have reported they left Michigan and moved to another state are not required to verify. At the end of the October 2005 verification period, 15,539 offenders were in compliance with SOR Act requirements and 8,346 offenders had failed to comply with requirements of the Act.

### **A. Public Sex Offender Registry Statistics**

As of November 1, 2005, there were 18,176 offenders on the PSOR. The PSOR does not include offenders who have moved out of the state, are incarcerated, have a known false address or are juveniles.

\*Statistics are updated quarterly following mandated verification periods.

## **IV. Additional Information and Resources**

- National Sex Offender Registry: <http://www.nsopr.gov/>
- Other state Sex Offender Registries: <http://www.fbi.gov/hq/cid/cac/states.htm>
- The Center for Sex Offender Management: <http://www.csom.org/>